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June 14, 2007

MEMO ENDORSED

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Hon. Colleen McMahon
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 640
New York, New York 10007

6/25/07
Ex vendor to
July 30, 2007
✓

Re: Henry v. Wyeth Pharmaceuticals, Inc., et al. 05 CV 8106

Dear Judge McMahon:

The undersigned counsel to all parties in the above-referenced case respectfully submit this joint request for a thirty-day extension of time to file the parties' joint pre-trial order and related pre-trial papers, including pre-trial briefs, requests to charge, proposed voir dire instructions, and proposed verdict forms (the "Pre-Trial Papers").

This case recently was re-assigned from the Honorable Richard Conway Casey to Your Honor. At the time the case was re-assigned, Defendants' motion for summary judgment was pending, and the parties were not required to file their Pretrial Papers, if at all, until after a decision on Defendants' motion for summary judgment. Pursuant to Your Honor's Standing Order for Cases Transferred to the Docket of the Honorable Colleen McMahon from the Docket of the Honorable Richard Conway Casey (the "Standing Order"), the parties' Pre-Trial Papers now are due on July 9, 2007.

We make this request for an extension of time for the following reasons. First, in accordance with Judge Casey's procedures, counsel to the parties did not anticipate filing their Pre-Trial Papers until Defendants' motion for summary judgment was decided. As a result, counsel have filled their schedules with other matters that will make it extremely difficult to prepare and file their Pre-Trial Papers by July 9, 2007. Counsel for Plaintiff has a trial in another matter before the Honorable Leonard D. Wexler in United States District Court for the Eastern District of New York scheduled to begin on July 2, 2007. In addition, although the Standing Order is dated May 25, 2007, counsel for the parties did not receive the Standing Order until May 31, 2007, and therefore, did not receive the full benefit of the 45 time-period set forth in the Standing Order.

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We thank you in advance for Your Honor's consideration.

Respectfully,

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